

PLANNING COMMISSION REPORT



MEETING DATE: June 14, 2006

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT **Ducati Scottsdale - 12-UP-2006**

REQUEST Request to approve a conditional use permit for motorcycle sales on a 35,000 +/- square feet parcel located at 14880 N. Northsight Blvd with Highway Commercial District (C-3) zoning.

Key Items for Consideration:

- There will be no outside display or storage of motorcycles.
- Service and repair will be indoors.
- The use is compatible with surrounding retail and automotive service uses.
- There is no known opposition to this proposal.

Related References:

- Case 51-DR-2004 - Approval of the building in the commercial center.
- Case 9-UP-2004 - Conditional Use Permit approval of another Motorcycle Dealership in the commercial center.
- Case 16-ZN-2002 - Rezoned property from C-2 to C-3 in 2002.
- Case 60-DR-2001 #1 and #2 - Approval of the commercial center.

OWNER Northsight Village III LLC
480 966-3100

APPLICANT CONTACT Mark Slepak
Ducati Scottsdale
480-609-1800

LOCATION 14880 N. Northsight Blvd. Suite 101

BACKGROUND

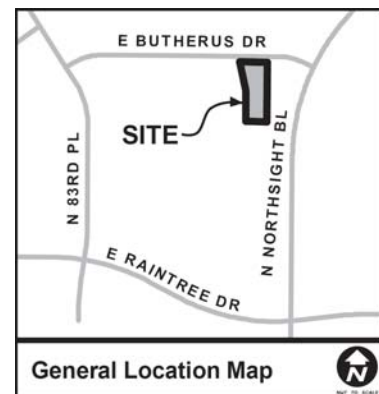
Zoning.

The site is zoned Highway Commercial District (C-3), which is intended to permit most types of commercial activities and is intended for a larger segment of the population than the average neighborhood.

Automobile/motorcycle sales and service are allowed with a conditional use permit.

General Plan.

The General Plan Land Use Element designates the property as Commercial within the Regional Use Overlay.



Context.

The site is located near the southwest corner of E. Butherus Drive and N. Northsight Boulevard within the Northsight Village commercial shopping center. Other uses in the center include a tire sales and repair facility, gun club, retail, and restaurants. The surrounding property is used and zoned for commercial uses.

Adjacent Uses and Zoning:

- North Commercial uses, zoned C-3
- South Commercial uses, zoned C-2
- East Commercial uses, zoned C-2
- West Commercial uses, zoned C-3

**APPLICANT'S
PROPOSAL****Goal/Purpose of Request.**

The applicant requests approval of a use permit to operate a motorcycle sales and service facility within the northern suite (suite 101) of the existing commercial building. The applicant is proposing no exterior modifications to the existing building or site plan with this request. The motorcycle showroom is indoors located at the front of the suite area, and there will be no outdoor display areas. Motorcycle service and repair will occur within the building only, and there will be no outdoor display or storage of motorcycles.

Development information.

- *Existing Use:* Commercial uses
- *Buildings/Description:* 3,500 sq.ft. retail suite (Suite 101) of a 8,500 sq.ft. building
- *Parcel Size:* 35,800 sq.ft. at a 8.5-acre commercial center
- *Building Height Allowed:* 36 feet
- *Existing Building Height:* 25 feet
- *Parking required/provided:* 14 spaces required and provided as part of a larger 186-space shared parking lot

IMPACT ANALYSIS**Traffic.**

The C-3 zoning district permits land uses such as professional offices, medical and dental offices, as well as a wide variety of retail sales and services. In terms of traffic generation, motorcycle sales and service are low compared to other commercial uses that are allowed by right in the C-3 District. It is expected that this facility would generate 150-300 trips per day. This facility is expected to have five employees.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - **The proposed use is not expected to generate significant noise, smoke, odor, dust, vibration or illumination. All activities will be conducted inside of the building. There will be no outdoor activities, storage, or display.**
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **The proposed use is not expected to generate an increase in the volume or character of traffic.**
 3. There are no other factors associated with this project that will be materially detrimental to the public.
 - **No other detrimental factors are expected to occur with the proposed use on this site.**
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
- **The proposed motorcycle sales use is reasonably compatible with the surrounding commercial uses. Another motorcycle sales facility is located within the commercial center in another building to the southwest, which also includes repair facilities. A tire sales and repair facility is also located within the commercial center at the building to the west. Several automobile-related uses are located across Butherus Drive, to the north of the site, and in buildings to the south of the site.**
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.
1. All repairs must be conducted within a building.

The applicant is proposing indoor service and repair. A stipulation is included that all service and repair activities shall occur indoors.
 2. Vehicular entry is from the rear of the site only and repair bay doors are separated from views from streets and residential areas by an alley, wall or other suitable means of landscaping.

The applicant will utilize existing doors for repair service. All motorcycles will enter from behind the building through existing double doors.
 3. All vehicles awaiting repair shall be screened from view by a masonry wall or landscape buffer.

Motorcycles awaiting repair or pickup will be kept inside the

building. A stipulation is included that all motorcycles shall be kept indoors.

Community Involvement.

The site has been posted with an information sign, and surrounding property owners within 750 feet have been notified. No comments had been received from the public at the time of writing this report.

STAFF
RECOMMENDATION

Recommended Approach:

Staff recommends approval of the request subject to the attached stipulations and with a finding that the Conditional Use Permit criteria have been satisfied.

RESPONSIBLE
DEPT(S)

Planning and Development Services Department
Current Planning Services

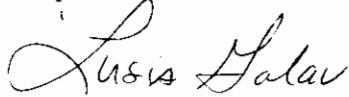
STAFF CONTACT(S)

Tim Curtis, AICP
Principle Planner
480-312-4210
E-mail: tcurtis@ScottsdaleAZ.gov

APPROVED BY



Tim Curtis, AICP
Report Author



Lusia Galav, AICP
Current Planning Director

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Zoning Map
4. Stipulations
5. Citizen Involvement
6. City Notification Map
7. Site Plan
8. Floor Plan

DUCATI SCOTTSDALE

May 14, 2006

To: Mr. Tim Curtis
Planning Department/Scottsdale

From: Mark B. Slepak

Subject: Project Narrative- Conditional Use Permit

Our goal in applying for a conditional use permit with Scottsdale is to allow our company to sell motorcycles, apparel and other riding gear. Our new showroom is to be located at: 14880 North Northsight Blvd, Suite 101, Scottsdale, Arizona 85260. We will be leasing approx 3,500 square feet and this space will be divided into sales area as well as a small area for service.

As you know, we have been appointed the Ducati Dealer for Scottsdale and we would like to be able to begin selling product no latter than the 3rd week of June.

Thank you in advance for your cooperation.

Sincerely,



Mark B. Slepak
Operations Manager

14880 N. Northsight Blvd, Suite 101, Scottsdale, AZ. 85260

480-609-1800 Fax 480-609-1800

Ducati Scottsdale is a division of Euro Motorsports, LLC.

DUCATI SCOTTSDALE

Mr. Tim Curtis
Principal Planner
City of Scottsdale Planning Services
7447 E. Indian School Road, Suite 105
Scottsdale, Arizona 85251

Re: Narrative on Use Permit Criteria/ Case Number: 12-UP-2006
14880 North Northsight Blvd, Suite 101, Scottsdale, Arizona 85260

Dear Tim:

Pursuant to your request, the following will confirm the use criteria for the Permit that we have applied for. The details are as follows:

Use: Our intention is to use the space located at 14880 North Northsight Blvd, Suite 101 for the sales and servicing of motorcycles. We will be providing riders with a full line of clothing and other equipment used in the sport of riding a motorcycle. All of the display of motorcycles will be indoors and we will not display any motorcycles outdoors.

In addition I would like to reconfirm the following details pertaining to our application and use of this location.

1. All motorcycles that are awaiting repair will be kept inside the building.
2. All motorcycles that are brought into our building will be walked in and not ridden.
3. We will be doing repair and servicing of motorcycles and all work will be done will be done inside the building.
4. All motorcycles that are brought in for service will be brought into the building from the rear double doors.
5. All motorcycles for sale at our dealership will be displayed inside the building we will not utilize any outside display.
6. Sign Posting and affidavit/pictures: The sign has been posted and pictures and affidavit was delivered to Doris approx 10 days ago.

It is also our understanding of the following Use Permit Criteria: as outlined in Sec. 1.401.Issuance.

Conditional use permits, which may be revocable, conditional or valid for a specified time period, may be granted only when expressly permitted by this ordinance and, except in the case of conditional use permits for adult uses under section 1.4503 (A), only after the planning Commission has made a recommendation and the City Council has found as follows.

A. That the granting of such condition use permit will not be materially detrimental to the Public health, safety or welfare. In reaching this conclusion, the Planning Commission and the

City Council's consideration shall include, but not be limited to the following factors:

1. Damage or nuisance arising from noise, smoke, odor, dust vibration or illumination.
2. Impact on surrounding areas resulting from an unusual volume or character of traffic.

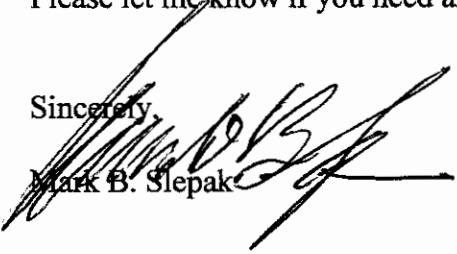
B. The characteristics of the proposed conditional use are reasonable compatible with the types of uses permitted in the surrounding areas.

C. The additional conditions specified in Section 1.403m as applicable, have been satisfied (there are no additional conditions if service or outdoor display is not permitted.)

The burden of proof for satisfying the aforementioned requirements shall rest with the applicant.

Tim, I hope that this will provide you with the information that you have requested,
Please let me know if you need anything else.

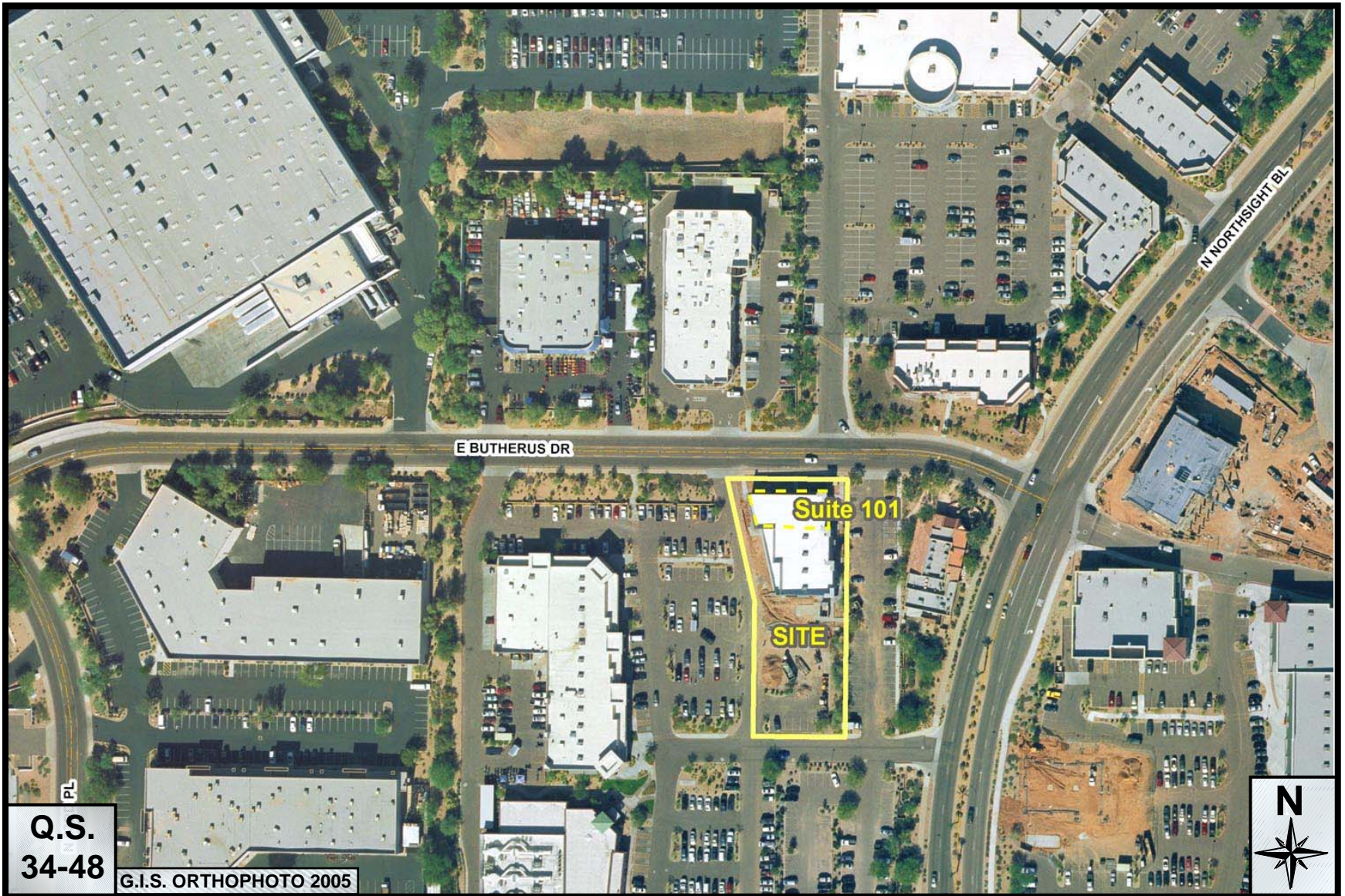
Sincerely,


Mark B. Slepak

14880 N. Northsight Blvd, Suite 101, Scottsdale, AZ. 85260

480-609-1800 Fax 480-609-1800

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Ducati Scottsdale

12-UP-2006

ATTACHMENT #2



Ducati Scottsdale

12-UP-2006

ATTACHMENT #2A



12-UP-2006

ATTACHMENT #3

STIPULATIONS FOR CASE 12-UP-2006

PLANNING/ DEVELOPMENT

1. **CONFORMANCE WITH SITE PLAN.** Development shall conform to the site plan submitted by K&I Architects and Interiors, LLC, with a receipt date of 5/15/2006. Any proposed significant change to the site plan for this use, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. **USE PERMIT APPLICABILITY.** This use permit applies to Suite 101 of the subject building.
3. **SERVICE AND REPAIR TYPE:** The type of vehicular service and repair permitted on this site shall be limited to motorcycle or similar vehicles, as determined by the Zoning Administrator. No automobile or boat repair shall be allowed.
4. **SERVICE AND REPAIR STORAGE AREA.** All service, repair, and vehicle storage shall be contained within the building. No unassembled vehicles, repair activity, or auto parts shall be stored outside the building.
5. **REPAIR STAGING AREA.** All vehicles awaiting repair and pickup shall be located inside of the building.
6. **OUTDOOR DISPLAY.** No outdoor sales display is allowed.

DUCATI SCOTTSDALE

NEIGHBORHOOD INVOLVEMENT

14880 N. Northsight Blvd, Suite 101, Scottsdale, AZ. 85260

480-609-1800 Fax 480-609-1800

Ducati Scottsdale is a division of Euro Motorsports, LLC.

MAY 14th, 2006
Date

DUCATI SCOTTSDALE

COMMUNITY INPUT CERTIFICATION

Contacts by letter: Property Owners

1. Northsight Shopping Center 04, LLC
12411 Ventura Blvd
Studio City, CA 91604
2. Northsight Crossings LLC
3753 Howard Hughes Parkway #200
Las Vegas, NV 9109
3. Selva Invest Group, Inc.
14760 N. Northsight Blvd
Scottsdale, AZ. 85260
4. Patriot Investments LLC
14860 N. Northsight Blvd
Scottsdale, AZ. 85260
5. One Four Eight Eight Five North 83rd Place LLC
7707 E. Acoma Drive, Suite 101
Scottsdale, Arizona 85260
6. Goodys Automotive LLC
8420 E. Butherus Drive, #102
Scottsdale, Arizona 85260
7. Phillip and Anne Labrador
1359 Pierce Ranch Road
San Jose, California 95120
8. Northsight Villiage III, LLC
15490 N. 83rd Way
Scottsdale, Arizona 85260

10. Raintree Crossing LLC
21700 Oxnard Street # 350
Woodland Hills, CA 91367

11. Butherus LLC
14362 N. Frank Lloyd Wright Blvd, Suite 1310
Scottsdale, Arizona 85260

Fellow Business Neighbors: Letter/In person

1. Canyon Honda
2. Downside Risk
3. K'Odonalls
4. Goodys Automotive
5. Untimate Electronics
6. Checker Auto
7. Scottsdale Gun Club

14480 Northsight Blvd, Suite 101, Scottsdale, Arizona 85260
480-609-1800 Fax 480-609-1800
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COPY

DUCATI SCOTTSDALE

May 14, 2006

Northsight Shopping Center 04 LLC
12411 Ventura Blvd
Studio City, CA 91604

Dear Property Owner:

Our company BMW Motorcycles of Scottsdale has been in the motorcycle business for the last two years. As a result of our hard work and having an ideal location here in the Scottsdale Airpark, our success has been recognized by another manufacture by the name of Ducati.

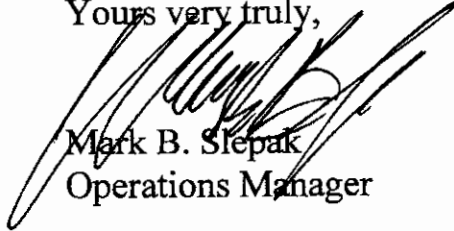
We have been awarded the Ducati franchise for Scottsdale and it is our goal to establish a separate showroom in order to completely showcase and represent this fine line of motorcycles. This new showroom will be located on the same parking lot as our existing location, however it will have a separate address of: 14880 North Northsight Blvd, Suite 101.

Our goal is to continue to provide our current BMW clients with a continued high level of service and also allow our future Ducati clients the opportunity of having a unique showroom featuring motorcycles, apparel and various motorcycle gear.

We are currently in the process of applying for a conditional permit with the City of Scottsdale and as one of the requirements of this application process is to allow other property owners the courtesy of hearing about our future plans. By way of sending you this letter, we want to share this exciting news with you and would welcome any questions that you have have. Please feel free to contact me at the BMW Showroom or give me a call at 480-609-1800.

Thank you for your cooperation.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Mark B. Slepak', written over the printed name and title.

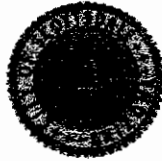
Mark B. Slepak
Operations Manager

Mark B. Slepak
Operations Manager

14880 N. Northsight Blvd, Suite 101, Scottsdale, AZ. 85260

480-609-1800 Fax 480-609-1800

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AFFIDAVIT OF POSTING
PUBLIC HEARING NOTICE

CASE NUMBER: 316-PA-2006

PROJECT NAME: _____

LOCATION: 14880 N NORTH SITT BLVD STE 101

SITE POSTING DATE: 5/5/06

APPLICANT NAME: MARIK SLEPAK

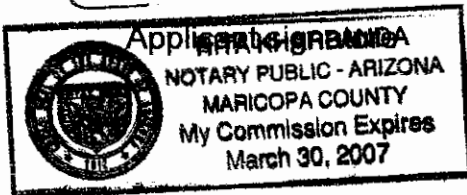
SIGN COMPANY NAME: SCOTTS DALE SIGN A RAMP

PHONE NUMBER: 480-994-4000

I confirm that the site has been posted as indicated by the Project Manager for the case as listed. Pictures of site postings have been submitted.

[Signature]

5-8-06



Date

Rita Uherbanda
Notary Public

Acknowledged before me this 8th day of MAY 2006

My commission expires March 30, 2007

Return completed, notarized affidavit and pictures to Current Planning Services at least 20 days prior to Planning Commission hearing.

Current Planning Services
7447 E. Indian School Road, Suite 105
Scottsdale, AZ 85251
480-312-7000

Early Notification of Project Under Consideration

Site Address: 14880 N. Northsight Blvd, Suite 101
Project Overview:

- Description of Request: APPLICATION FOR CONDITIONAL USE PERMIT
- Description of Project and Proposed use: SALES AND SERVICE OF MOTORCYCLES
- Existing Zoning: C-3
- Acreage: 3500 SQ FT +/-

Applicant/Contact:

MARK SLEPAK
DUCATI SCOTTSDALE
14870 N. NORTHSIGHT BLVD., SUITE 101
SCOTTSDALE, AZ 85260
480-609-1800

City Staff Contact:

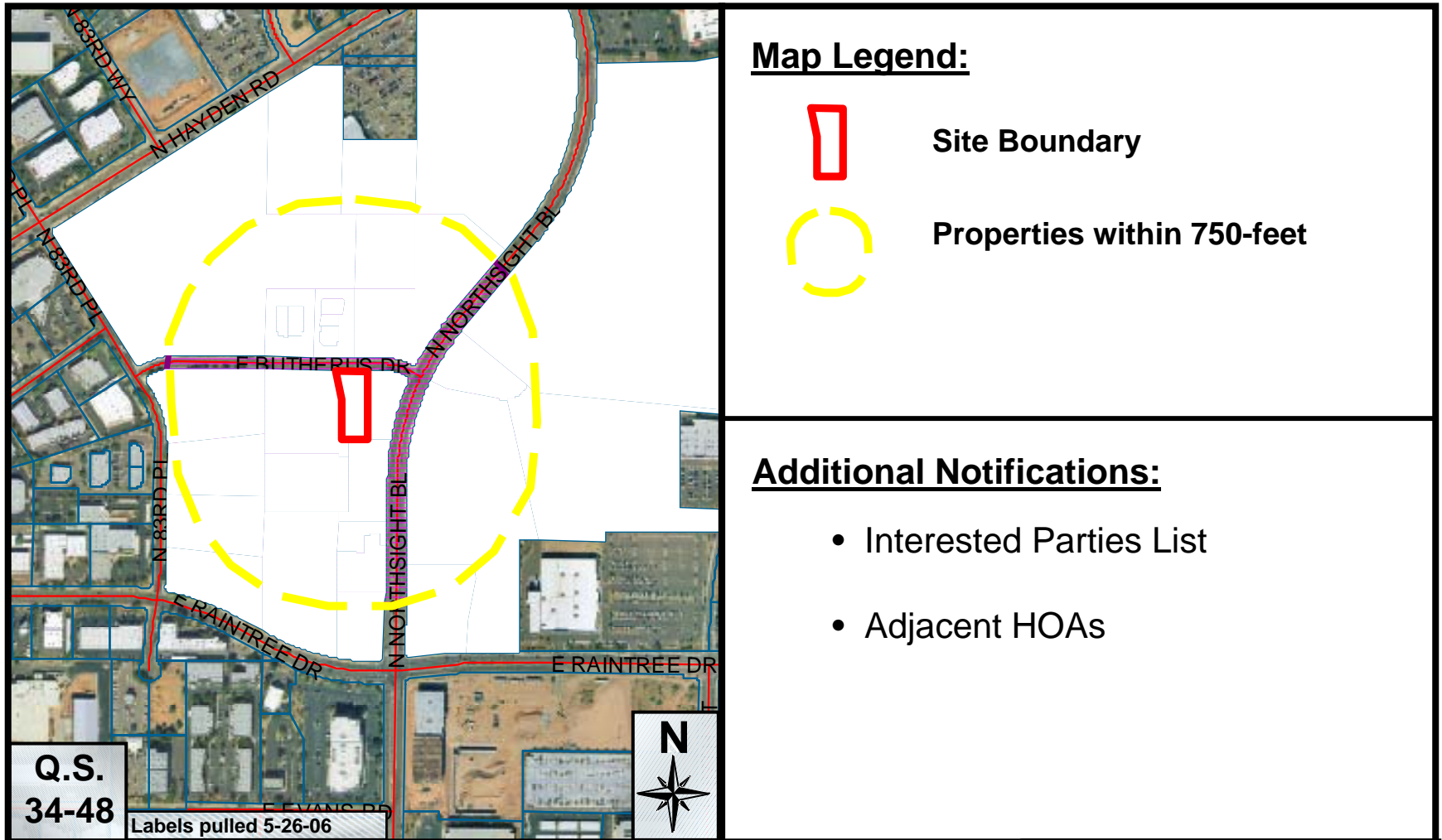
MR. TIM CURTIS
480-312-7000

Pre-application Case Number #: 316-PA-2006 available at City of Scottsdale: 480-312-7000

Project information is available at:
www.scottsdaleaz.gov/projects/ProjectsInProcess
Posting Date: 5/5/06

05/05/2006

City Notifications – Mailing List Selection Map

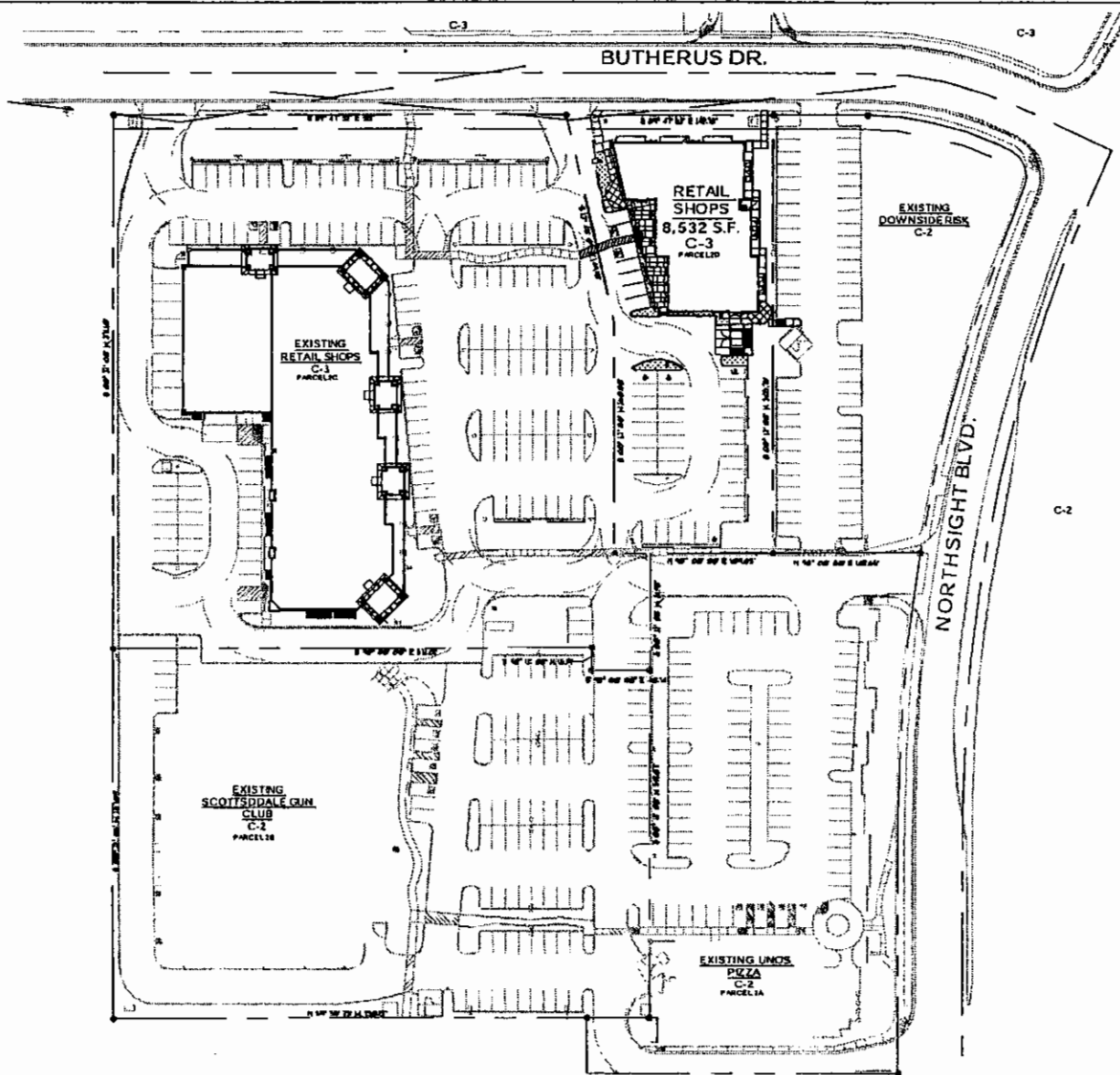


Ducati Scottsdale

12-UP-2006

ATTACHMENT #6

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Aug 18, 2004 - 1:40pm



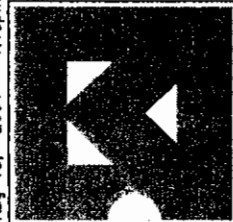
| SITE DATA | |
|---------------|---------------------------|
| ZONING | C-3 |
| NET SITE AREA | 35,824 S.F. (0.82 AC.) |
| PKG. REQ'D. | 34 |
| PKG. PROV. | SHARED |
| SHOPS 'B' | 8,532 S.F. |
| USE | RETAIL |



SCALE: N.T.S.

04102_EXHIBIT-01

(THIS SITE PLAN IS PRELIMINARY IN NATURE AND IS SUBJECT TO CHANGE)

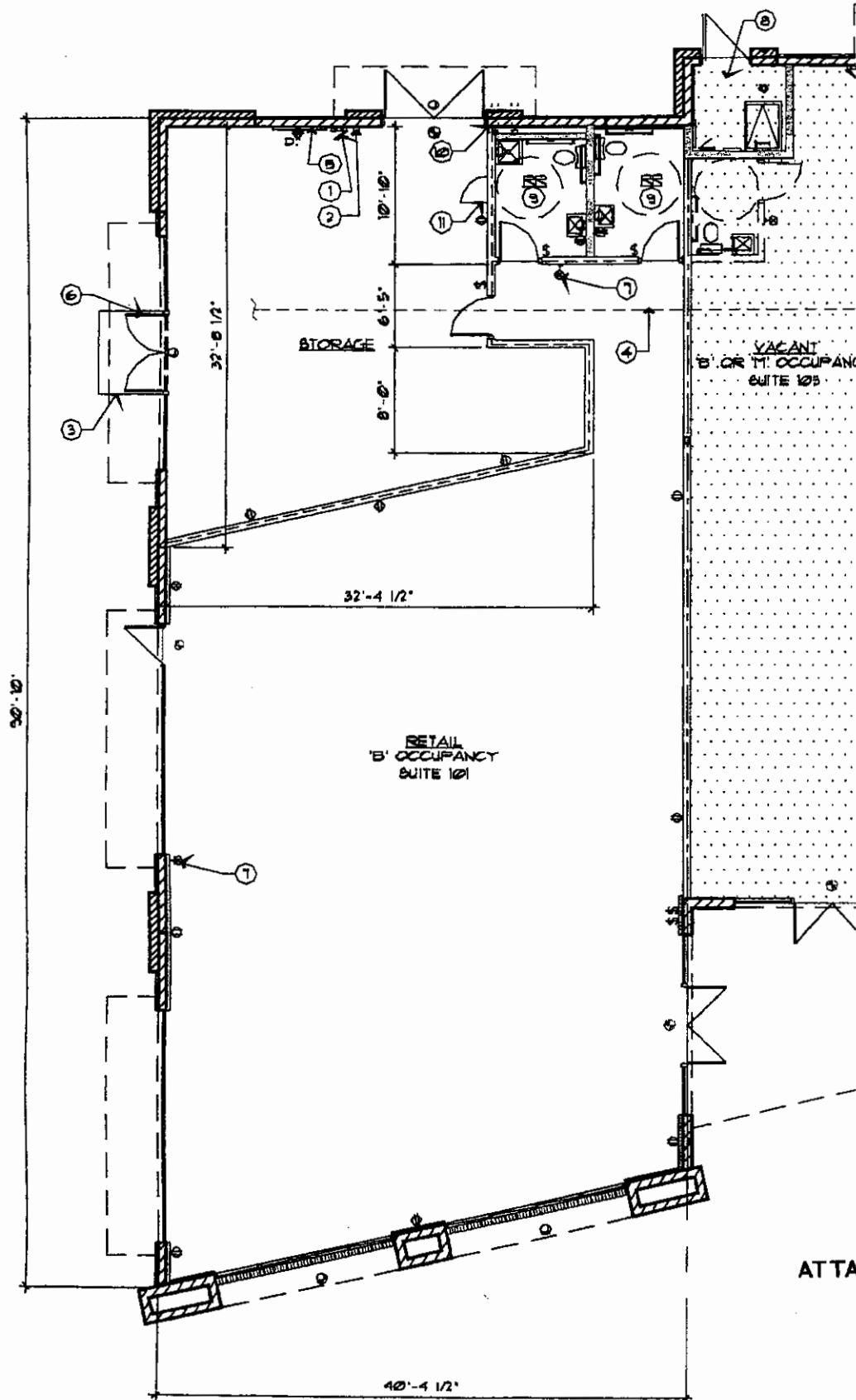


K&I
ARCHITECTS &
INTERIORS, L.L.C.
1850 N. CENTRAL AVE.
SUITE 200
PHOENIX, AZ 85004
PH: 602.252.5202
FAX: 602.252.5203

NORTHSIGHT VILLAGE
PHASE III - PAD DEVELOPMENT
RETAIL BUILDING
S.W.C. BUTHERUS AND NORTHSIGHT
SCOTTDALE ARIZONA
04626

NORTHSIGHT VILLAGE III L.L.C.
15490 83RD WAY
SCOTTSDALE, ARIZONA 85260
PHONE: 480.966.3100
FAX: 480.921.7603

DUCATI SCOTTSDALE



ATTACHMENT #8

12-UP-2006
5-15-06